



Security Council

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Letter dated 23 September 2009 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith a paper outlining India's approach and perspectives regarding the Security Council's summit meeting on nuclear non-proliferation and nuclear disarmament to be held in New York on 24 September 2009 (see annex).

I would be grateful if you could kindly arrange for the present letter and its annex to be circulated as a document of the Security Council.

(Signed) Hardeep Singh Puri



Annex to the letter dated 23 September 2009 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council

We wish to place on record India's approach and perspectives with regard to the Summit level meeting of the United Nations Security Council to be held on 24 September 2009.

India welcomes the initiative taken by the United States, as current President of the Council, to convene a Summit level meeting to consider matters relating to Nuclear Non-Proliferation and Nuclear Disarmament. This is an issue of global importance in which the entire international community has a vital interest.

India has an unwavering commitment to global efforts for preventing the proliferation of weapons of mass destruction and their means of delivery. These efforts are in India's interest as the infirmities of the non-proliferation regime have had an adverse impact on our security. We support the two global and non-discriminatory international conventions banning chemical and biological weapons and efforts for strengthening their implementation.

During the 63rd Session of the United Nations General Assembly, India's Prime Minister reiterated our proposal for a Nuclear Weapons Convention prohibiting the development, production, stockpiling and use of nuclear weapons and providing for their complete elimination within a specified time frame. This policy reaffirms the highest priority we attach to the goal of nuclear disarmament enshrined in the Rajiv Gandhi Action Plan of 1988.

Nuclear disarmament can be achieved through a step-by-step process underwritten by a universal commitment for global elimination of nuclear weapons. India has suggested a number of measures in this regard, including reaffirmation of the unequivocal commitment by all nuclear weapon states to the goal of complete elimination of nuclear weapons. Consideration could also be given to specific legal measures, including a Global No First Use Agreement and negotiation of a Convention on the Prohibition of the use of Nuclear weapons. Measures to reduce nuclear dangers arising from accidental or unauthorized use of nuclear weapons are also pertinent in this regard. There is an imperative need for preventing terrorists from gaining access to weapons of mass destruction.

The Security Council's consideration of this issue is based on a widely shared concern about the threat posed by all nuclear weapons to international peace and security. Addressing this threat requires the global elimination of nuclear weapons on a non-discriminatory basis. While preventing proliferation is important, an excessive focus on non-proliferation does a disservice to the essential principle of the mutually reinforcing linkage between disarmament and non-proliferation. International efforts in this regard should build the necessary confidence among states so that international treaties and agreements are multilaterally negotiated and freely accepted which remains the true test of their legitimacy and credibility.

At the same time, states should fully and effectively implement the obligations arising from the agreements or treaties to which they are parties. Non-proliferation obligations arise from international agreements or treaties to which states are parties and issues of non-compliance should be addressed in accordance with the provisions

contained within those international agreements or treaties. The role of the Security Council would arise if those treaties themselves provide for such a role.

India cannot accept externally prescribed norms or standards on matters within the jurisdiction of its Parliament or which are not consistent with India's constitutional provisions and procedures, or are contrary to India's national interests or infringe on its sovereignty. India cannot comply with non-proliferation obligations to which it has not provided its sovereign consent.

India's position on the Nuclear Non-Proliferation Treaty (NPT) is well-known. We cannot accept any obligations arising from treaties that India has not signed or ratified. This position is consistent with the fundamental principles of international law and the Law of Treaties. India cannot accept calls for universalization of the NPT. As India's Prime Minister stated in Parliament on 29 July 2009, there is no question of India joining the NPT as a non-nuclear-weapon State. Nuclear weapons are an integral part of India's national security and will remain so, pending non-discriminatory and global nuclear disarmament.

We remain committed to a voluntary, unilateral moratorium on nuclear testing. We do not subscribe to any arms race, including a nuclear arms race. We have always tempered the exercise of our strategic autonomy with a sense of global responsibility. We affirm our policy of no-first-use of nuclear weapons.

India attaches importance to the Conference on Disarmament (CD) as the single multilateral disarmament negotiating forum. We have stated our willingness to participate constructively in the FMCT negotiations in the CD as part of its Programme of Work. India is a nuclear-weapon State and a responsible member of the world community, and would approach these negotiations as such.

India places great value on the role played by the IAEA's nuclear safeguards system, which is of critical importance to facilitate expansion of nuclear energy to meet global energy needs in a clean and sustainable manner, while reducing proliferation risks. All states have a right to peaceful uses of nuclear energy in accordance with the obligations they have undertaken. A number of agreements and reciprocal commitments were concluded as part of the India civil nuclear initiative. The IAEA's authority to apply safeguards or verify undeclared activity is derived from the specific safeguards agreements concluded with it by its member States. We support international cooperative measures to combat nuclear terrorism and to improve nuclear security, and in this context, look forward to the convening of the Global Summit on Nuclear Security in 2010.

The contributions of various organs of the United Nations, including that of the Security Council should be in accordance with their Charter responsibilities. During the 1992 Security Council Summit on Non-Proliferation, India, which was represented on the Council, had stated that while prescribing norms and standards for national or international conduct, the Security Council must scrupulously accept those norms for itself. It is clear that the international community would look to the countries with substantial nuclear arsenals represented on the Council for meaningful steps towards nuclear disarmament.

Working towards our common objectives would require a steadfast commitment to genuine multilateralism to ensure viable and enduring solutions to global peace and security. A more representative Security Council would add credibility and vitality to such efforts. India has an impeccable non-proliferation

record and is committed to working with the international community to advance our common non-proliferation and disarmament objectives so that we are able to fulfil the vision of a world free of nuclear weapons. We hope that the Security Council summit meeting will spur international efforts in that direction.
